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Message Text

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ACTION SS-25

INFO OCT-01 ISO-00 /026 W
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R 062255Z JUN 75
FM AMEMBASSY SANTIAGO
TO SECSTATE WASHDC 3530

C O N F I D E N T I A L SANTIAGO 3770

EXDIS

EO 11652: GDS
TAGS: SHUM, CI
SUBJ: CHILE -- HUMAN RIGHTS

FOR ASSISTANT SECRETARY ROGERS

1. DURING CONVERSATION WITH RAUL SAEZ JUNE 6, I ASKED HIM HOW HE SAW THE GOC POSITION ON HUMAN RIGHTS DEVELOPING, AS PREPARATIONS WERE MADE FOR THE UN HUMAN RIGHTS COMMISSION GROUP DUE HERE EARLY JULY.

2. SAEZ CONFIRMED THAT GOC IS SEEKING TO PREPARE BEST POSSIBLE POSTURE FOR RECEIVING STUDY GROUP, BUT THAT EVERY ADVANCE, NO MATTER HOW SLIGHT, INVOLVES VERY HARD SLOGGING WITHIN THE GOVERNMENT.

3. SAEZ WAS ENCOURAGED BY ESTABLISHMENT OF NEW SPECIAL COMMISSION TO DECIDE ON COMMUTATION OF SENTENCES OF CONVICTED POLITICAL PRISONERS WILLING TO GO INTO EXILE (SEPTEL). HE SAID IT WAS GOC'S INTENTION THAT COMMISSION SHOULD MOVE VERY RAPIDLY.

4. ACCORDING TO SAEZ, NEW MINISTER OF JUSTICE MIGUEL SCHWEITZER CONTINUES TO BE A KEY MAN IN SEEKING LIBERALIZATION OF CURRENT GOC HUMAN RIGHTS PRACTICES. SCHWEITZER WAS CLOSELY INVOLVED IN OBTAINING THE MORE LIBERAL PROVISIONS OF THE NEW NATIONAL SECURITY LAW, ESPECIALLY THOSE RELATING TO TIME LIMITS FOR NOTIFICATION
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TO FAMILIES, AND FOR ARRAIGNMENT, OF NEWLY ARRESTED

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DETAINEES. SAEZ SAYS SCHWEITZER'S NEXT OBJECTIVE, WHICH HE BELIEVES IT WILL TAKE A CONSIDERABLE PERIOD OF TIME TO OBTAIN, IS TO HAVE DECISIONS OF MILITARY TRIBUNALS REACHED DURING STATE OF SIEGE (AS DISTINGUISHED FROM LEGAL STATE OF WAR) REVIEWED BY THE SUPREME COURT. CHILE IS NOW IN STATE OF SIEGE STATUS. IF SUCH A PROVISION WERE TO BE ADOPTED, IT WOULD BE A REAL BREAKTHROUGH.

5. I TOOK OCCASION TO NOTE THAT IT IS HIGHLY IMPORTANT THAT PROVISIONS OF NEW NATIONAL SECURITY LAW WITH REGARD TO DETENTION AND TORTURE SHOULD ACTUALLY BE APPLIED. SAEZ ADMITTED THAT IN SOME CASES THIS HAD NOT BEEN DONE. HE BELIEVES THAT IN NINE OUT OF TEN INSTANCES, THE PRESCRIBED TIME LIMITS ARE OBSERVED BUT ACKNOWLEDGES THAT FAILURE TO COMPLY IN THE TENTH MAY WELL UNDO ALL THE BENEFITS EXPECTED TO BE ACHIEVED UNDER THE NEW LAW. POPPER

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